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### **CMAQ PROGRAMMING AND MANAGEMENT POLICIES**

## **DRAFT UPDATE**

## A: Programming of CMAQ Funds for New Projects

- 1) APPLICATION MATERIALS AND REQUIREMENTS
  - a) The applicant is solely responsible for application completeness.
  - b) Applications submitted without the following will be rejected:
    - i) Complete project financing & CMAQ funding request section;
    - ii) Input Module Worksheets for traffic flow improvement projects only;
    - iii) Scoping Document for traffic flow improvements, commuter parking and pedestrian/bicycle projects only;
    - iv)iii) Pedestrian/Parking Deck Supplements, if applicable;
    - <u>v)iv)</u> Sign-off by the applicable Planning Liaison, for municipal sponsors only (see section A: 1, d).
  - c) Project applications will need to meet the following screening criteria. Failure to meet the following screening criteria will result in the application being rejected:
    - i) Phase 1 Engineering is substantially complete. In order to show the requirement is met, a sponsor will either have to submit a final Project Development Report to IDOT for signatures by the date indicated in the application materials or show that Phase 1 design approval has already been received. CMAP staff then follows up with IDOT to make sure the final PDR was submitted. This screening criterion does not apply to projects that do not require Phase I Engineering.
      - (1) For transit capital projects that require engineering services, the sponsor should be able to demonstrate that preliminary engineering work is completed on the project to a similar status of highway phase I engineering. CMAP staff realizes that there may be no definitive indication for when this is accomplished. Staff will work with sponsors on insuring that the initial engineering work has been

completed to a sufficient point that accurate cost information is established and that the project scope is clear.

- ii) Project is found in an adopted/approved plan. This screening criterion would only be used for bicycle facilities and transit projects. A variety of planning documents would be acceptable, including comprehensive plans, subarea plans, plans by subregional councils, capital improvement or facilities plans, and agency strategic plans.
- iii) Milestone schedule is realistic and consistent with project accomplishment goals.

  Project sponsors submit a form indicating when they expect to meet certain project development milestones. These should be consistent with the ranges given in the Federal Aid Project Flowchart and they must allow sponsors to meet their accomplishment goals of completing each project phase within two years of the year the funds are programmed (three years total).
- iv) Project has an air quality benefit. Given the centrality of air quality to the CMAQ program, projects that do not provide an air quality benefit will not be ranked on any other criteria.
- e)d) If an application is missing other information, only one attempt will be made to collect that information (notice will be via a "read receipt" e-mail). The deadline for submission of missing information is 30 days from the date of the emailed notification from CMAP. If the sponsor does not respond by the deadline, the application will be rejected.
- <u>d)e)</u> Project applications submitted by municipal agencies (villages, cities, counties, park districts, school districts, forest preserve districts, townships, etc.) are required to be reviewed by their Council of Mayors Planning Liaison (PL).
  - i) The individual PLs are responsible for reviewing applications and advising the sponsor of missing information.
  - ii) The PL sign-off is incorporated into the application form.
  - iii) The deadline for submission for PL review is two weeks in advance of the deadline for submission to CMAP. The deadline for submitting applications to the PLs will be included in the CMAQ program development schedule.

#### 2) EVALUATION CRITERIA, RANKINGS, AND PROJECT SELECTION

- a) All applications meeting the screening criteria from section A:1,c will be analyzed for potential emissions benefits and transportation impacts.
- b) Projects will be ranked based upon the criteria and weighting system stipulated in preapplication materials posted on the CMAP website prior to the call for projects.

- c) The project applications will be ranked together based upon a composite score of the emissions benefits along with other criteria, including measures related to transportation impacts and regional priorities.
- d) CMAP Staff will use the project rankings along with input from the four modal focus groups (Bicycle and Pedestrian Task Force, Regional Transportation Operations
  Coalition, Direct Emissions Reduction Focus Group and the Transit Focus Group) or other CMAP committees to develop a staff—recommended program of projects which would be presented to the Project Selection Committee for their consideration in developing the Proposed Program for the region.

#### 2)3) PROGRAMMING THE FUNDS

- a) The CMAQ program mark for a given <u>federal</u> fiscal year will be the northeastern Illinois share of the State's federal apportionment adjusted by the CMAQ Project Selection Committee to account for programming balances.
- b) Phase I engineering will be the responsibility of the project sponsor to complete without CMAQ funding.
  - i) Sponsors will be required to demonstrate that phase I engineering has been initiated prior to programming of CMAQ funding to a proposal. This can be demonstrated by:
    - (1) The project has received design approval prior to release of the Project Selection Committee's programming recommendations.
    - (2) The PDR document has been submitted to IDOT for approval prior to release of the Project Selection Committee's programming recommendations.
  - ii)i) A sponsor can request funding for phase I engineering based on financial hardship or if the proposal is directly identified by a GO TO 2040 Focused Programming group.
    - (1) Phases beyond phase I engineering will not be eligible for CMAQ funding until a sponsor has either submitted a final Project Development Report to IDOT for signatures by a certain the date specified in the application materials or has received Phase 1 design approval one of the two requirements from section A: 2, b, i are met.
    - (2) All remaining eligible phases will be programmed at a maximum level of 80% federal funding.
- c) For projects that complete phase I engineering without CMAQ funding, the federal funding level for pPhase II engineering, right-of-way acquisition (ROW), construction

and implementation are eligible for CMAQ funding at 80% federal participation will be at 100%, with the following exceptions. [see note]<sup>1</sup>

- i) For transit proposals where phase I and phase II engineering are not clearly defined, 50% of the engineering costs will be eligible for CMAQ funding at an 80% federal participation with all of the costs of the remaining phases eligible up tofor 1080% CMAQ funding federal participation.
- ii) For signal interconnect projects, phase II engineering costs will not be eligible for CMAQ funding with the construction phase eligible for 100% funding.
- iii) For proposals that are not required to complete phase I engineering, 90% of the proposals' remaining phases will be eligible for CMAQ funding. Projects in this category include but are not limited to:
  - (1) Bicycle Parking and Encouragement
  - (2) Non construction bicycle facility treatments
  - (3) Sidewalks not involving ROW acquisition
  - (4) Transit Service and Marketing
  - (5) Transit Vehicles Procurement
  - (6) Diesel Retrofits
  - (7) Most "Other" category projects
  - (8) Any project using a Categorical Exclusion 1(CE1)
- iv)iii) For proposals involving private corporations, the funding levels will be addressed on a case by case <u>up</u> to a maximum 65% federal share.
- d) Proposals that are not selected for funding but are shown to have air quality benefits will be included in a "Vetted" project list that can be used to help meet the annual obligation goal described in further details under section B:4.
- e) All sponsors will be required to attend a mandatory project initiation meeting once CMAP has received the federal funding eligibility determinations from USDOT. The meeting will include distribution of necessary forms and information needed to initiate the projects and review of general project schedules and deadlines. Unless specific approval has been granted by CMAP, project consultants may not attend in the stead of project sponsors. Consultants are encouraged to accompany the project sponsors. Failure to attend will subject the project to removal from the program. This decision will be via recommendation of the CMAQ Project Selection Committee to the Transportation Committee and MPO Policy Committee.

# **B: Active Program Management of Projects**

<sup>&</sup>lt;sup>1</sup>-Note: The recently passed federal transportation authorization legislation, Moving Ahead for Progress in the 21st Century (MAP 21), does not extend the authority to fund CMAQ projects at 100% federal in FFY 2013 and beyond. CMAQ funded phases will require a minimum of 20% local match.

- 1) EVERY PHASE OF AN APPROVED PROJECT WILL BE SUBJECT TO AN ACCOMPLISHMENT SUNSET. EACH PHASE WILL HAVE THE YEAR IN WHICH IT IS PROGRAMMED PLUS TWO ADDITIONAL YEARS (3 YEARS TOTAL) TO MEET THE ACCOMPLISHMENT GOAL FOR THE PHASE.
  - a) For FTA administered projects, accomplishment is FTA grant approval for the phase.
  - b) For those projects administered through the Federal Highway Administration, the accomplishment goal is defined as:
    - i) Phase I engineering design approval
    - ii) Phase II engineering Pre-final plans submitted to IDOT District 1
    - iii) ROW ROW certified by IDOT District 1
    - iv) Construction Has been let for bid
    - v) Implementation Federal Authorization
  - c) If a phase is not accomplished in the year it is programmed plus two years, all remaining unobligated CMAQ funds for the phase and all subsequent phases (regardless of the sunset year of those phases)funding for the project will be removed from the guaranteed program and the project will be considered a deferred project. More information on deferred projects in section B:4,c,ii.
- 2) A REVIEW OF THE STATUS FOR ALL PROJECTS WITH PHASES IN THE ANNUAL ELEMENT WILL BE CONDUCTED IN MAY AND OCTOBERAT LEAST SEMI-ANNUALLY.
  - a) Due dates for semi-annual updates will be included in the CMAQ PSC meeting calendar which is approved prior to the start of each calendar year. Updates will generally be requested in late spring (May/June) and fall (October).
  - b) CMAP staff or the CMAQ PSC may request additional status updates at any time.
  - c) Semi-annual updates will be required for all project phases meeting any of the following conditions. All projects meeting these conditions that fail to provide a semi-annual status update will be subject to removal from the CMAQ program.
    - i) Deferred phases.
    - ii) Phases sunsetting at the end of the current federal fiscal year.
    - iii) Phases programmed in the current federal fiscal year, regardless of sunset date.
  - d) CMAP staff will provide a list of phases requiring status updates and instructions for completing the updates to Planning Liaisons (for locally sponsored projects) and other project sponsors (service boards, IDOT, counties, and CDOT) at least two weeks prior to the due date.

- a)e) Status updates may also be requested, or may be submitted without a request, for phases programmed in out years in order to assist with programming decisions for meeting the annual obligation goal. All projects that fail to provide status report during May or October will be subject to removal from the CMAQ program.
- 3) Transit projects that have been obligated will be required to submit an expenditure update within 45 days of the end of each calendar quarter until the project is 100% complete.
- 4) AN ANNUAL OBLIGATION GOAL WILL BE SET TO ENSURE THE REGION IS SPENDING ITS CMAQ APPORTIONMENT.
  - a) The goal will be set three months prior to the start of the federal fiscal year.
  - b) The goal will be based on the anticipated apportionment for the next federal fiscal year and the anticipated unobligated balance.
  - c) If the obligation goal cannot be met through implementation of projects incorporated in the CMAQ program through the regular selection process, then other projects (listed below in priority order) that have demonstrated readiness as defined in 3:6,b will be selected for contingency funding to accomplish the goal:
    - i) Out Year projects programmed in the out years of the program will be moved into the annual element. This can occur at any time if funding is available and the project demonstrates readiness.
    - ii) Deferred projects that had their funding removed for failure to meet accomplishment sunset deadlines can have their funding restored reinstated one phase at a time. This can occur at any time if funding is available and the project demonstrates readiness.
    - iii) Vetted move projects into the annual element that includes:
      - (1) Projects that were analyzed in a prior programming cycle and showed an air quality benefit but were not included in the program and that have demonstrated readiness or
      - (2) Partially funded CMAQ projects that have other funding that for which CMAQ funds can be substituted with CMAQ funds that have demonstrated readiness.
    - iv) Extraordinary projects that are CMAQ eligible but which have not applied for CMAQ funding and have demonstrated readiness.
  - d) If the actual obligation amount is expected to be within \$5 million of the goal <u>as</u> <u>determined by CMAP staff</u>, then no action to implement other projects will be considered.

- 5) THE REVIEW PROCESS FOR DETERMINING IF THE OBLIGATION GOAL WILL BE MET, OR IF OTHER PROJECTS NEED TO BE SELECTED WILL BEGIN IN THE SPRING OF THAT FEDERAL FISCAL YEAR.
- 6) PROJECTS SELECTED FOR CONTINGENCY FUNDING MUST MEET THE FOLLOWING CONDITIONS:
  - a) Be ready to obligate within the federal fiscal year.

b) demonstration of Demonstrate readiness as defined below.

	Local Projects	СДОТ	Transit Capital Projects	Transit Non-Capital Projects	IDOT
Phase I Engineering	Locally Executed Local Agency Agreement sent to IDOT Central Office for	Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	FTA Grant application submitted via TEAM	n/a
Phase II Engineering	Execution  Locally Executed Local Agency Agreement sent to IDOT Central Office for Execution	Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	FTA Grant application submitted via TEAM	n/a
ROW Acquisition	Locally Executed Local Agency Agreement sent to IDOT Central Office for Execution	Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	FTA Grant application submitted via TEAM	When ROW is included in the IDOT program
Construction	Pre-final Plans at IDOT BLRS for Review	Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	FTA Grant application submitted via TEAM	When Design Approval is achieved or when Construction is included in IDOT program.
Implementation	Case by case basis, in general - locally executed agreement sent to IDOT Central Office for Execution	Case by case basis, in general - Locally Executed IPA sent to IDOT Central Office for Execution	Inclusion in the RTA Program	FTA Grant application submitted via TEAM	n/a

- e) **<u>eC</u>**onstruction is the preferred phase for contingency funding
- c)  $\underline{V}_{\text{v}}$ etted and extraordinary projects must meet the following phase funding minimum requirements.
  - i) \$1 million for phase II or ROW acquisition

- ii) \$5 million for construction
  - (1) A combination bid over \$5 million of connected or related projects which total the above minimums is acceptable
- iii) Limits do not apply to out year or deferred projects